

**REMARKS**

New claims 33-35 are presented for prosecution.

Claims 17-35 remain pending in the application. Of these, claim 17 is currently amended.

Claims 17-32 are rejected under 35 U.S.C. §102(b) as anticipated by Scholten et al. U.S. 4,969,888 (Scholten '888). Scholten '88 discloses a first system comprising an access tool 30 and a void forming tool 76 and an alternative system comprising an access tool 91 and a void forming tool 95. Scholten '888 does not teach or suggest a system having first and second access tools and first and second void forming tools in which the second access tool is sized and configured to establish a second percutaneous access path to the same bone, the second access path being different than the first access path. Nor does Scholten '888 teach or suggest a second void forming tool sized and configured to be introduced through the second percutaneous access path. In addition, the cited references do not teach or suggest a method in which a second percutaneous access path is created or in which a second void forming tool is introduced through the second access path, as defined by new claims 34 and 35. Claim 17 has been amended in view of this rejection to define a system having first and second access tools and first and second void forming tools in which the second void forming tool is sized and configured to be introduced through the second percutaneous access path in the same bone. Dependent claims 18-35 further define the subject matter of claim 17 and therefore also believed to be allowable over the prior art.

Reconsideration in view of the foregoing amendments and remarks and allowance of claims 17-35 is respectfully requested.

Respectfully Submitted,

By Patricia A. Limbach  
Patricia A. Limbach, Reg. No. 50,295

RYAN KROMHOLZ & MANION, S.C.  
Post Office Box 26618  
Milwaukee, Wisconsin 53226  
(262) 783 - 1300  
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Customer No.: 26308

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